



Haryana Government Gazette

Published by Authority

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No. 18-2018] CHANDIGARH, TUESDAY, MAY 1, 2018 (VAISAKHA 11, 1940 SAKA)

PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR-17, PANCHKULA

Order

The 11th April, 2018

No. SEC/3ME/2018/2542.— The General Election of Municipal Committee, Bawani Khera was held on 20.02.2013 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

(a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and

(b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

4. In pursuance of the above provisions, the State Election Commission, Haryana *vide* its Notification No.SEC/3ME/2011/2813, dated 05.09.2011 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, Sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs. 50,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Bawani Khera and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

5. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized Assistant State Election Commissioner, State Election Commission, Haryana *vide* Order No.SEC/1ME/2017/2017, dated 01.12.2017 and further modified *vide* Order No.SEC/1ME/2018/842, dated 28.02.2018 to decide the cases of disqualification of the candidates of the said municipality, who failed to lodge their account of election expenses.

6. As reported by the Secretary, Municipal Committee, Bawani Khera, the following candidates had contested the election of Municipal Committee, Bawani Khera but failed to submit their election expenditure account within the prescribed time or thereafter :-

Sr. No.	Name of Candidate	Ward No.
1.	Shyam	1
2.	Ishwar	1
3.	Rohtash	1
4.	Guddi	2
5.	Meena Devi	2
6.	Munni	2
7.	Kamlesh Devi	2
8.	Vedpal	3
9.	Raj Rani	4
10.	Deep Devi	5
11.	Sudesh Kumari	5
12.	Suman Lata	7
13.	Munesh	8
14.	Sunita w/o Dharmender	8
15.	Jitender Singh	8
16.	Umesh Kumar	9
17.	Rani	9
18.	Ram Kumar	9
19.	Madan Lal	10
20.	Satpal	10
21.	Poonam Bala	10
22.	Dharamvir	10
23.	Harbans Lal	10
24.	Sunehra	13
25.	Ramesh Chander	13
26.	Subhash	13
27.	Umed	13
28.	Raghubir	13
29.	Krishan Kumar	13

7. I, had given them personal hearing on 26.03.2018 in the PWD Rest House, Jind. Sh. Tej Pal Singh, Accountant of Municipal Committee, Bawani Khera was appeared who has submitted the letter No.2826-2862/MCBK, dated 20.03.2018 of Secretary, Municipal Committee, Bawani Khera in which it has been observed that notice of personal hearing has been delivered to all concerned candidate.

8. The above mentioned contesting candidates neither appeared before me nor filed any representation. Therefore, it can be concluded that they have nothing to say in the matter. The above noted candidates deserve to be disqualified. Hence I, Parmal Singh, Assistant State Election Commissioner, Haryana, in existing powers delegated *vide* Commission's order dated 01.12.2018 do hereby order that all the above 29 candidates be disqualified under Section 13D of the Haryana Municipal Act, 1973 read with Section 10A of the Representation of People Act, 1951 for being chosen as, and for being a member of Municipality for a period of three years from the date of this order.

9. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Bhiwani immediately.

PARMAL SINGH,
Assistant State Election Commissioner, Haryana.